

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

JOHN STRAUS,	)	
	)	
Plaintiff,	)	
	)	No: 17 CV 5382
vs.	)	
	)	Honorable Robert W. Gettleman
WINDOW WORKS, INC, a corporation,	)	
	)	
Defendant.	)	

**JOINT MOTION FOR APPROVAL OF SETTLEMENT**

Plaintiff John Straus, by and through his attorneys, the law office of John C. Ireland and Osborne Employment Law, and Defendant Window Works, Inc., by and through its attorneys, the Law Offices of Ian B. Hoffenberg, LLC, (collectively the “Parties”) move for approval of the settlement of this action. In support of their motion, the Parties state as follows:

1. Plaintiff filed this action on July 21, 2017, alleging a violation of the Fair Labor Standards Act, 29 U.S.C. 201, et seq. (“FLSA”), and Illinois Minimum Wage Law, 820 Ill. Comp. Stat. 105/1, et seq. Defendant filed its Answer on September 29, 2017.

2. There exists between the Parties a *bona fide* dispute. The Parties recognize the outcome in this action is uncertain and achieving a final result through litigation requires additional risk, discovery, time, and expense.

3. After engaging in good faith arms-length negotiations, the Parties have reached a mutually satisfactory confidential resolution of their dispute, the terms of which are memorialized in a Confidential Settlement Agreement and Release of Claims (“Settlement Agreement”). A copy of the Settlement Agreement will be submitted to the Court *in camera* on the date of filing of this motion, but will not be filed in the public record.

4. Because this is an action seeking recovery of wages owed under the FLSA, the settlement requires court approval. *See e.g. Burkholder v. City of Ft. Wayne*, 750 F. Supp. 2d 990, 994-95 (N.D. Ind. 2010); *Lynn's Food Stores v. United States*, 679 F.2d 1350, 1355 (11<sup>th</sup> Cir. 1982).

5. The Parties agree that the terms of the settlement are fair and reasonable.

WHEREFORE, the Parties respectfully request that this Honorable Court enter an Order approving the Settlement Agreement after adjudging it to be adequate, proper, fair and reasonable.

Respectfully submitted,  
**WINDOW WORKS, INC.**, Defendant

By: /s/ Ian B. Hoffenberg  
One of Its Attorneys

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**John Straus**, Plaintiff

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